

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: By **CHAIRMAN SCOTT MENDENHALL**, on March 11, 2005
at 3:10 P.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Scott Mendenhall, Chairman (R)
Rep. Jill Cohenour, Vice Chairman (D)
Rep. Bernie Olson, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. John Balyeat (R)
Rep. Bob Bergren (D)
Rep. George Golie (D)
Rep. Jim Keane (D)
Rep. Gary MacLaren (R)

Members Excused:

Rep. Larry Jent (D)
Rep. Monica Lindeen (D)
Rep. Bruce Malcolm (R)

Members Absent: None.

Staff Present: Kyanne Kelly, Committee Secretary
Leanne Kurtz, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 123, 3/7/2005; SB 277, 3/7/2005;
SB 285, 3/7/2005
Executive Action: SB 123, SB 38, HB 759, SB 39, SB
102, SB 164, SB 194, SB 244

HEARING ON SB 123

Opening Statement by Sponsor:

SEN. JERRY BLACK (R), SD 14, opened the hearing on **SB 123**, Revise contractor recordkeeping for special fuels.

00:02:26_____

Proponents' Testimony:

00:05:55 Jim Currie, Department of Transportation

00:07:01 Cary Hegreberg, Contractors Association

00:08:16 E.J. Redding, MDU Resources

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:08:51

REP. JENT entered the room.

HEARING ON SB 277

Opening Statement by Sponsor:

SEN. DONALD STEINBEISSER (R), SD 19, opened the hearing on **SB 277**, Special fuel users agricultural product temporary trip permit.

00:09:49

Proponents' Testimony:

00:12:02 David Jacobson, Busch Agricultural Resources

00:14:18 Steve Snezek, Montana Grain Growers Association

00:14:40 Gsry Amestoy, Richland County Development Corporation

00:16:32 Jim Currie, Department of Transportation

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:17:03

Closing by Sponsor:

00:37:46

EXECUTIVE ACTION ON SB 123

Motion/Vote: REP. OLSON moved that SB 123 BE CONCURRED IN.
Motion carried unanimously by voice vote. REPS. LINDEEN and
MALCOLM voted by proxy. REP. KEANE to carry.

EXECUTIVE ACTION ON SB 38

Motion: REP. OLSON moved that SB 38 BE CONCURRED IN.

Motion: REP. GOLIE moved that SB 38 BE AMENDED.

Discussion:

00:43:36

[EXHIBIT](#)(trh54a01)

Vote: Motion carried unanimously by voice vote. REPS. LINDEEN,
and MALCOLM voted by proxy.

Motion: REP. GOLIE moved that SB 38 BE CONCURRED IN AS AMENDED.

Discussion:

00:46:35

Vote: Motion carried 9-3 by roll call vote with REP. BALLYEAT,
REP. MALCOLM, and REP. MENDENHALL voting no. REPS. LINDEEN and
MALCOLM voted by proxy. REP. GOLIE to carry.

HEARING ON SB 285

Opening Statement by Sponsor:

SEN. BOB STORY (R), SD 30, opened the hearing on SB 285, Organize
and simplify motor vehicle laws.

00:51:49

[EXHIBIT](#)(trh54a02)

Proponents' Testimony:

00:57:44 Brenda Nordlund, Department of Justice

01:04:15 Rhonda Carpenter Wiggers, Snowmobile Association
and Montana Treasurers Association

01:08:50 Doug Abelin, Trail Riders Association

01:09:22 Jim Currie, Department of Transportation

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:09:59

Closing by Sponsor:

01:26:50

EXECUTIVE ACTION ON HB 759

Motion: REP. OLSON moved that HB 759 DO PASS.

Discussion:

01:30:31

Vote: Motion carried unanimously by voice vote. REPS. LINDEEN and MALCOLM voted by proxy.

EXECUTIVE ACTION ON SB 39

Motion: REP. OLSON moved that SB 39 BE CONCURRED IN.

Motion: REP. OLSON moved that SB 39 BE AMENDED.

Discussion:

01:33:06

[EXHIBIT](#)(trh54a03)

Vote: Motion carried unanimously by voice vote. REPS. LINDEEN and MALCOLM voted by proxy.

Motion: REP. OLSON moved that SB 39 BE CONCURRED IN AS AMENDED.

Discussion:

01:35:19

Vote: Motion carried unanimously by voice vote. REPS. LINDEEN, and MALCOLM voted by proxy. REP. GOLIE to carry.

EXECUTIVE ACTION ON SB 102

Motion: REP. OLSON moved that SB 102 BE CONCURRED IN.

Discussion:

01:38:25

Substitute Motion/Vote: REP. JENT made a substitute motion that SB 102 BE TABLED. Substitute motion carried 9-3 by voice vote with REP. ARNTZEN, REP. COHENOUR, and REP. MACLAREN voting no. REPS. LINDEEN, and MALCOLM voted by proxy.

EXECUTIVE ACTION ON SB 164

Motion: REP. OLSON moved that SB 164 BE CONCURRED IN.

Discussion:

01:43:46

Without objection REP. OLSON withdrew his motion.

EXECUTIVE ACTION ON SB 194

Motion: REP. OLSON moved that SB 194 BE CONCURRED IN.

Motion: REP. COHENOUR moved that SB 194 BE AMENDED.

Discussion:

01:45:17

[EXHIBIT](#)(trh54a04)

Vote: Motion carried unanimously by voice vote. REPS. LINDEEN, and MALCOLM voted by proxy.

Motion: REP. OLSON moved that SB 194 BE CONCURRED IN AS AMENDED.

Discussion:

01:47:26

Vote: Motion carried 11-1 by voice vote with REP. KEANE voting no. REPS. LINDEEN, and MALCOLM voted by proxy. REP. MALCOLM to carry.

EXECUTIVE ACTION ON SB 244

Motion: REP. OLSON moved that SB 244 BE CONCURRED IN.

Motion: REP. MACLAREN moved that SB 244 BE AMENDED.

Discussion:

01:50:43

Vote: Motion carried unanimously by voice vote. REPS. LINDEEN, and MALCOLM voted by proxy.

Motion/Vote: REP. OLSON moved that SB 244 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote. REPS. LINDEEN and MALCOLM voted by proxy. REP. LINDEEN to carry.

ADJOURNMENT

Adjournment: 5:05 P.M.

REP. SCOTT MENDENHALL, Chairman

KYANNE KELLY, Secretary

SM/kk

Additional Exhibits:

EXHIBIT ([trh54aad0.PDF](#))